



TOWN OF TYNGSBOROUGH

Office of the Selectmen

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Selectmen's Meeting Agenda

Monday April 23, 2007

6:00 P.M.

Town Offices

Members present: Selectman Jay Booth, Selectman Kevin O'Connor, Selectwoman Jacqueline Schnackertz, Selectman Rich Lemoine and Selectwoman Karyn Puleo

Staff Present: Town Administrator Rosemary Cashman, and
Admin Assistant Therese Gay

Selectwoman Puleo opened the meeting at 6:05P.M., the Board was introduced and Selectwoman Schnackertz read this evening's agenda.

1. 6:00 P.M. Constable Application

This application has been rescheduled to the April 30 agenda.

2. 6:10 P.M. Borrowing – Comprehensive Wastewater Management Plan – Sewer

Following a brief discussion the Board of Selectmen voted to approve a short-term borrowing for phases 3 and 4 of the Sewer Comprehensive Wastewater Management Plan.

A motion was made by Selectman O'Connor to approve the borrowing of \$268,625 Interim Loan Note (Sewer Bonds) payable no later than December 31, 2007 from the Massachusetts Water Pollution Abatement Trust at an Interest rate of 1.78% and approve the signing of the Note, second by Selectwoman Schnackertz. The Board voted unanimously to approve the borrowing and the signing of the note.

3. 6:15 P.M. Approve ATM and STM Warrants – May 15, 2007

A motion was made by Selectman Booth to approve the posting of the May 15, 2007 Annual Town Meeting Warrant with the added language submitted by Bond Counsel, second by Selectwoman Schnackertz. The Board voted unanimously to post the warrant.

A motion was made by Selectwoman Schnackertz to approve the posting of the May 15, 2007 Special Town Meeting Warrant, second by Selectman Lemoine. The Board voted unanimously to post the warrant.

4. 6:30 P.M. Snow and Ice Budget Expenditure

Because of the flooding from the weekend storm the Highway Department will need an additional \$50,000 for the Snow and Ice Budget deficit.

A motion was made by Selectman Lemoine to allow the additional expenditure not to exceed \$50,000 for the Snow and Ice Budget, second by Selectwoman Schnackertz. The Board voted unanimously.

Discussion – Capital Asset Management Committee By-law

The Board discussed making changes in the Capital Asset Management By-Law to tighten up the language to reinforce the need to meet with the Capital Asset Management Committee on capital needs.

A motion was made by Selectman O'Connor to add new language to amend 3C and 3E of the Capital Asset Management Committee By-law, second by Selectman Booth. The Board voted unanimously.

A motion was made by Selectman O'Connor to recess for five minutes, second by Selectman Booth. The Board voted unanimously.

A motion was made by Selectman O'Connor to reconvene the meeting, second by Selectman Booth. The Board voted unanimously.

7:10 P.M.

Finance Committee Members: John Griffin, Kenneth Times, Colleen Gabriel joined the Selectmen's meeting to discuss budgets and to continue reviewing the May 15, 2007 Warrant articles and make their recommendations.

Members Absent: Al Plante, and Jerome Goldhammer

Review of FY 08 Budget and Warrant Articles

The Board of Selectmen and the Finance Committee reviewed the budget spreadsheet after some discussion the Board and Committee moved on to the warrant articles and continued with their recommendations of the remaining articles.

Article 4

A motion was made by Selectwoman Schnackertz to recommend the numbers presented this evening, the salary for the Town Clerk and Town Collector and the \$1.00 stipend for two members of the Assessor's office, second by Selectman Lemoine. The Board voted unanimously.

A motion was made by Finance Committee Member Colleen Gabriel to recommend the new numbers presented this evening, second by Chairman Griffin for discussion. The Committee voted to recommend.

Article 17

The Finance Committee and the Board of Selectmen will make a recommendation on Town Meeting Floor.

Article 23

A motion was made by Selectwoman Schnackertz to recommend article 23, second by Selectman Lemoine. The Board voted unanimously.

A motion was made by Finance Committee Member Kenneth Times to recommend article 23, second by Member Colleen Gabriel. The Committee voted unanimously.

Article 24

A motion was made by Selectwoman Schnackertz to not recommend article 24, second by Selectman Lemoine. The Board voted unanimously.

A motion was made by Finance Committee Member Kenneth Times to not recommend article 24, second by Member Colleen Gabriel. The Committee voted unanimously.

Article 26

The Finance Committee and the Board of Selectmen will make their recommendation on Town Meeting Floor.

Article 27

The Finance Committee and the Board of Selectmen will make their recommendation on Town Meeting Floor.

Article 28

A motion was made by Selectwoman Schnackertz to recommend article 28, second by Selectman Lemoine. The Board voted unanimously.

A motion was made by Finance Committee Member to recommend article 28, second by Member Colleen Gabriel. The Committee voted unanimously.

Article 29

A motion was made by Selectwoman Schnackertz to recommend article 29, second by Selectman Lemoine. The Board voted unanimously.

A motion was made by Finance Committee Member to recommend article 29, second by Member Colleen Gabriel. The Committee voted unanimously.

Article 33

The Finance Committee and the Board of Selectmen will make their recommendation on Town Meeting Floor.

Article 34

The Finance Committee and the Board of Selectmen will make their recommendation on Town Meeting Floor.

Article 36

A motion was made by Selectwoman Schnackertz to recommend article 36, second by Selectman Lemoine. The Board voted unanimously.

A motion was made by Finance Committee Member Kenneth Times to recommend article 36, second by Member Colleen Gabriel. The Committee voted unanimously.

Article 37

A motion was made by Selectwoman Schnackertz to not recommend article 37, second by Selectman Lemoine. The Board voted unanimously.

Article 38

A motion was made by Selectman Schnackertz to take no action on article 38, second by Selectman Lemoine. The Board voted four in favor 1 against.

The Finance Committee takes no action on article 38.

Article 39

The Finance Committee and the Board of Selectmen will make their recommendation on Town Meeting floor.

The Special Town Meeting Warrant Articles four through 7. The Finance Committee and the Board of Selectmen will make their recommendations on Town Meeting Floor.

Discussion – Financial Management Review – State

The Board received information about a financial management review of the by the State Division of Local Service. There is no fee charged for this service. The review could be scheduled for the late fall, and would take approximately 3 months to complete. There was some discussion.

A motion was made by Selectwoman Schnackertz to send a letter to the State requesting the financial management review of the Town, second by Selectman Booth. The Board voted unanimously for this service.

A motion was made by Finance Committee Member Ken Times to adjourn the Finance Committee meeting, second by Member Colleen Gabriel. The Committee voted unanimous to adjourn their meeting at 8:35 P.M.

The Board of Selectmen continued with their agenda.

5. Other Business (if necessary)

A. One Day Special License Application – Boston University, Tyng Road

The Board received two one day special license application from Boston University for two separate events.

A motion by Selectwoman Schnackertz to approve the application as requested, second by Selectman Lemoine. The Board voted unanimously.

6. Citizen's Time

No one came forward this evening.

7. Correspondence

A motion was made by Selectwoman Schnackertz to approve the correspondence, second by Selectman Lemoine. No discussion on the correspondence.

8. Selectmen's Notes

The Selectmen thanked the Town Administrator for all of the hours put into the preparation of the town meeting warrant and the many hours spent on the putting the budget together.

Selectwoman Puleo thanked the Town Administrator for keeping the residents informed during the flooding of last week.

Selectwoman Schnackertz thanked everyone involved in putting Earth Day together; it was a big success.

Selectman Lemoine thanked the Recycling Committee and the Board of Health for a great job, congratulated the Council on Aging for the annual volunteer appreciation

dinner held yesterday, and also a reminder to all that soft-ball and baseball has started, please be careful when driving.

9. Town Administrator's Notes

This week was very busy. A lot of work went into the town meeting warrant and putting the budget together. During the week, the Town Administrator attended a meeting on Economic Development and also met with the area town and city managers about health insurance issues.

A motion was made by Selectwoman Schnackertz to enter into Executive Session to discuss litigation and contract negotiation and to exit the session only to adjourn, second by Selectman O'Connor.

Roll Call Vote:

10. Executive Session (If Necessary)

A. Litigation – Elementary School Building Project

The Board reviewed the attached Settlement Agreement with Eastern Contractors, Inc. for the Elementary School Building Project, as prepared by the Town's Special Counsel (McCarter & English).

A motion was made by Selectman Lemoine to approve the settlement agreement as prepared by Special Counsel McCarter and English, second by Selectwoman Schnackertz.

Roll Call Vote: Selectman Jay Booth, yes; Selectman Kevin O'Connor, yes; Selectwoman Schnackertz, yes; Selectman Lemoine, yes; and Selectwoman Puleo, yes.

B. Contract Negotiation

The Board discussed contract negotiations.

11. Work Session (If Necessary)

No Work Session this evening.

12. Adjournment

The Board voted to adjourn at P.M.

Respectfully submitted,

Therese Gay
Admin Assistant

Approved on: _____